### SOELR - 1999

# ALTERNATIVE DISCIPLINE

Sherba J. Essex U. S. Soldiers' & Airmen's Home

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#### History of the U.S. Soldiers' Home

Beautiful, century-old buildings stand as testament to the rich history that makes up one of America's oldest veterans' retirement homes. The Soldiers' Home was established in 1851, as an "asylum for old and disabled veterans." Four of the original buildings still stand and are listed as national historic landmarks. Two of the buildings, Quarters 1 and Anderson Cottage, served as the summer White House for U.S. presidents -- Chester Arthur, Rutherford B. Hayes, James Buchanan, and most notably Abraham Lincoln.

Lincoln lived at the Soldiers' Home, in what is now called Anderson Cottage, during our nation's most turbulent history, the Civil War. Not only was it a break from the hot, humid city, but also from the intense political pressures of being president. In fact, Lincoln spent one-fourth of his presidency at Soldiers' Home, and it was here that he wrote the last draft of the Emancipation Proclamation. In 1865, Lincoln's wife, Mary, wrote to her friend Elizabeth Blair Lee, "How dearly I loved the Soldiers' Home."

**H**istoric Anderson Cottage was constructed in 1842-43 as the home of George W. Riggs, who went on to establish the famous Riggs National Bank in Washington, D.C. In 1851, the cottage and farm land surrounding it was purchased by the government to form the core of what is today the U.S. Soldiers' and Airmen's Home.

This Early Gothic Revival cottage served as the first quarters for the "inmates" of the "asylum." They lived here for approximately five years, until they moved into the Scott (now called Sherman) dormitory to the east of Anderson Cottage. This building also was the Home's first hospital, guest house, and is where the women were housed when they were first admitted to the Home in 1954.

The Cottage was named after Major Robert Anderson, who commanded the Union's Fort Sumter where the Civil War's first volleys were fired. Anderson, along with Jefferson Davis, and most important, General Winfield Scott, fought to establish a soldiers' home for nearly 25 years.

Congress finally approved a bill in 1851, following the Mexican War. In charge of American troops during the war, Scott now was considered an American hero. He returned with \$150,000 that was paid to him by Mexico City, in lieu of ransacking. He paid off his troops, bought new supplies, and offered the remaining money to Congress to establish the Soldiers' Home.

Since the Home's beginning, operational funding came from the soldiers (and later, airmen) themselves. A permanent trust fund was established nearly 150 years ago, and was fed by monthly, active duty payroll deductions of 25 cents, when the average pay of a soldier was \$7 a month. All fines and forfeitures from the Army, and later the Air Force, came to the USSAH and, combined with the monthly withholding, provided the principal support for the Home throughout its history.

#### The U.S. Soldiers' and Airmen's Home Today

Nestled in the heart of our Nation's Capital on 320-acres of secure, park-like setting, nearly

1,300 veterans have found a home. No longer called "The Old Soldiers' Home," the U.S. Soldiers' and Airmen's Home is a thriving community that offers 20-year retirees and certain veterans a haven of retreat. It is also a perfect example of, "The Military Taking Care of Its Own."

Three meals a day are served in a modern cafeteria that seats 1,400 people. The facility offers a wide variety of food, including short-order and special diet lines and salad bar. A city within a city, the Home has its own banking facilities and post office, as well as three chapels, a new fitness center/gymnasium and a six-lane bowling alley. The Home's private bus leaves daily to take residents to a near-by race track, shopping mall, Smithsonian Museum, and many other attractions.

Health care services range from community nursing and assisted living in the dormitories, to primary, intermediate and skilled care at the King Health Center. This 200-bed, well-equipped, long-term care facility received a three-year accreditation with commendation from the Joint Commission on Accreditation of Healthcare Organizations. Licensed specialists in dentistry, optometry, podiatry, internal medicine, diabetes are available, as well as professionals in physical, occupational, and recreational therapy, and speech-language pathology.

Since 1992 the resident population of the "Home" has declined from 1834 to the current population of 1056. The work force has declined from 975 to the current work force of 588. The current work force is comprised of employees with an average age of 48.03 years, with an average of 11.5 years of employment with our agency. These workers represent a significant investment of time and monies, and offer an invaluable service in a unique work environment. We are a 24 hour operation with our own heating plant, post office, 285 bed full-care nursing home, library 50,000 volumes, two dining facilities that serve 3 meals 365 days per year, and our own security force.

We are a quasi-military operation and our director, and most associate director's are retired military member's. We employee 288 wage grade employees, and 360 general schedule employees. An operation of this complexity in these times of austere manning requires a dedicated and reliable workforce. Last year we imposed 55 disciplinary actions most of them related to attendance. Each organization has its own unique culture, and with that culture comes certain things, that because of the nature the agency's mission, they receive more attention than they may receive in another agency with a different mission. That issue for our agency is attendance. It is difficult to keep a 24 hour operation running smoothly with minimum manning so it become imperative that employees be present for work and on time.

I came to work at the Home in 1992 after a 23 year career in the Air Force, and two year work experience in the private sector. My first exposure to alternative discipline was in the Air Force. Commanders would sometimes impose suspended reductions in grade and fines for offenses that were not considered serious violations. There was also a program that allowed airmen convicted of serious offenses to undergo probation and rehabilitation. In my private sector job with a proprietary school where I started as a counselor I was empowered with the authority to suspend, or dismiss students for attendance, dress code violations, academic deficiencies, or other infractions of school rules. I began to draw on my Air Force experience to devise methods of imposing discipline without necessarily having to suspend or remove the student. My most creative talent was reserved for dress code violators. All male students were required to wear ties, and this was the biggest dress code violation. Frequently students would come to school without

ties, and I could either send them home to get a tie, out to buy a tie, or allow them to select a tie from a collection we kept in our office for this purpose. The students didn't seem to mind selecting a tie, and would try to find something that didn't clash with their outfit. When I was the evening counselor I changed the rules, drawing on my instinct that few people like looking foolish I began to amass a collection of the oldest, out of date, most hideous tie ever collected. When a student arrived in my office without a tie. I would select a tie for them to wear. In a short period of time I began to notice a marked decline in the number of students forgetting their ties. Which brings me to my next point. The primary purpose of discipline is to effect change in behavior. Therefore, with this principle in mind I began to enter into written agreements with students regarding their return to school, attendance and other issues.

This is the background I brought with me to the Home. When I first came to the Home in 1992 the Employee Management Branch employed the chief, four specialists, and an assistant. I now do the majority of investigations of employee misconduct, MSPB, Unemployment Cases, and Disciplinary Actions. This has become a great motivator to me to attempt to change behavior as soon as possible. As our number of employees declined from a high of 975 in 1992 to the present employee population of 588. The number of disciplinary actions have declined, but not as not a significantly as would be expected. We did 89 actions in 1992, and 55 actions in 1998.

In 1998 we imposed alternative discipline in 7 cases. Our program is informal which means it is not set forth in any labor agreement or directive. Each case is handled on an individual basis, and generally starts with me making a recommendation to the supervisor and\ or deciding official regarding the appropriate disciplinary action. After a discussion where I provide my rationale as to why I feel this may be appropriate the manager makes a decision. All agreements are drafted by me, and reviewed by our legal advisor. In some cases the labor union has suggested alternative discipline. We work closely with the union, the manager, and the legal advisor to formulate an agreement that works for all concerned. We have reached agreements that imposed a demotion, attendance at anger management class, substance abuse programs, and most times nothing more than a promise not to engage in further misconduct for a specified period of time. All agreements entail a waiver of appeal rights. They also incorporate a clause that says that even thought the discipline is not imposed the action is still counted for the purpose of progressive discipline. The agreement also specifies

that in the cause of a violation of the agreement the original punishment plus what ever new punishment is deemed appropriate will be impose. Last years only 2 of the 7 agreements were breached. One resulted in a removal, and the other in a suspension.

This a brief overview of how our program works for our small agency. The things that we have incorporated will not work for every agency. However, if you are able to implement a program it will benefit both your agency, and the employee. The managers will generally support the program, because it makes the employee accountable, but still available for work. The employees will support the alternative, because it allows them another chance, and will save them their pay or their job.

## INTRODUCTION

### What is it (?)

\* A means of correcting behavior without imposing a financial hardship

\* A way to ensure accountability without removing the employee from the work force

\*A win-win solution to a disciplinary problem

## Agency demographics

\*A small agency - 588 employees

\* Average age - 48.03 years

\*Average years employed by agency - 11.5 years

\* Number of disciplinary actions in

1998 - 55

\* Most actions imposed for attendance

# WHAT ARE THE OPTIONS?

\*Administrative Leave

\*Employee paid training

\*Suspension held in abeyance

\*Split Suspension

\*Negotiated Personnel Action

\*Agency provided training

# WHAT MAKES IT WORK?

\* Employee buy-in

\* Management support

\* Union Support

\* Creativity

### USE CAUTION

- \* Reduce all agreements to writing
- \* Submit for legal review
- \* Consider precedent-setting
- \* Consider whether this agreement could be considered disparate treatment

\* Personnel - provide guidance and advice only- don't decide.